

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

T.R. OLIVER, JR.,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:08-CV-81-WHA
)	
JOSE A. RODRIGUEZ, Individually;)	
JOSE DELEON ARMIJO, Individually;)	
ARMIGO BROTHERS PRODUCE, INC.,)	
a Florida Corporation; ALFA MUTUAL)	
INSURANCE COMPANY, et al.)	
)	
Defendants.)	

PROPOSED DISCOVERY PLAN

Pursuant to Fed.R.Civ.P. 26(f), a meeting was held by telephone between William L. Lee, III and William Nichols, counsel for the Defendants, Jose A. Rodriguez, Jose Deleon Armijo and Armijo Brothers Produce, Inc.; and J. Matthew Horne, counsel for Plaintiff T.R. Oliver, Jr.

The parties certify that during the meeting they agreed on the following proposed discovery plan:

I. INITIAL DISCLOSURES.

The parties will make their Rule 26(a)(1) initial disclosures within three (3) weeks from the date of this plan.

II. DISCOVERY PLAN

A. Discovery will be needed on the Plaintiff's claims and the Defendants' defenses.

B. All discovery shall be commenced in time to be completed by

December 16, 2008.

C. A maximum of fifty (50) interrogatories by each party to the other party. Unless otherwise agreed between the parties, responses are due within thirty (30) days of service.

D. A Maximum of thirty-five (35) request for admissions by each party to the other party. Unless otherwise agreed between the parties, responses are due within thirty (30) days of service.

E. A maximum of twenty-five (25) request for production of documents by each party to the other party. Unless otherwise agreed between the parties, responses are due within thirty (30) days of service.

F. A maximum of eight (8) depositions by Plaintiff and eight (8) depositions by the Defendants.

G. Reports from retained experts under Rule 26(a)(2) shall be due:

1. From Plaintiffs by August 16, 2008.
2. From Defendants by October 16, 2008.

H. Supplementations under Rule 26(e) are due within thirty (30) days of identification.

3. OTHER ITEMS.

A. The parties do not request a conference with the Court before entry of the scheduling order.

B. The parties request a pretrial conference in February of 2009.

C. Plaintiffs should be allowed until July 16, 2008 to join additional parties and July 23, 2008 to amend pleadings.

D. Defendants should be allowed until August 16, 2008 to join additional parties and August 23, 2008 to amend pleadings.

E. All potentially dispositive motions should be filed no later than ninety (90) days prior to the pretrial hearing.

F. Settlement cannot be evaluated prior to the close of discovery.

G. Final lists of witnesses and exhibits shall be due thirty (30) days before trial.

H. Parties shall have fifteen (15) days after service of final lists of witnesses and exhibits to list objections.

I. The case should be ready for trial by March 16, 2009 and is expected to take approximately two (2) to three (3) days.

Dated this 10th day of April, 2008.

s/ William L. Lee, III

WILLIAM L. LEE, III (LEE007)

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